

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

MAINE MEDICAL CENTER, )  
                          )  
Plaintiff,             )  
                          )  
v.                      ) Civil No. 2:13-cv-309-NT  
                          )  
SYLVIA M. BURWELL, Secretary, )  
U.S. Department of Health and   )  
Human Services,         )  
Defendant.             )

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On August 13, 2015, the United States Magistrate Judge filed with the court, with copies to counsel his Recommended Decision on the Motion to Amend. The Plaintiff filed an objection to the Recommended Decision on August 28, 2015, and the Defendant filed a limited objection on August 24, 2015. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge on the Motions to Amend (ECF No. 62) is hereby **ADOPTED**. My Order Affirming the Recommended Decision (ECF No. 39) is hereby **AMENDED** to provide that the Recommended Decision on Cross-Motions for Judgment on Administrative Record (ECF No. 26), without the last sentence on page 21, in section "IV.

Conclusion", is **AFFIRMED**. The last sentence on page 21, in section "IV. Conclusion", of the Recommended Decision on Cross-Motions for Judgment on Administrative Record (ECF No. 26) is **STRICKEN**. It is further **ORDERED** that the Plaintiffs' motion (ECF No. 45) be **DENIED** without prejudice, and that the Defendant's motion (ECF No. 46) be **GRANTED** to the extent of deleting the last sentence of the Recommended Decision and otherwise **DENIED**.

**SO ORDERED.**

Dated this 24th day of September, 2015.

/s/ Nancy Torresen  
United States Chief District Judge